

REMARKS/ARGUMENTS

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

35 U.S.C. § 103(a) Rejections

Examiner rejected claims 1-5, 8, 10-11, 13-18, 21, 24-25, 28-32, 34, 37, 39, and 41 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,687,753 (hereinafter "Schneider") in view of U.S. Patent 6,633,725 (hereinafter "Hughes").

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). (Manual of Patent Examining Procedure (MPEP) ¶ 2143.03).

Applicant's independent claims 1, 14 and 29 include the claim limitation that are not disclosed nor suggested by Schneider nor Hughes. As a result, applicant's claims 1, 14 and 29 are patentable over Schneider in view of Hughes.

In particular, applicant's independent claims include the limitation, or limitation similar thereto, of:

A first peer node receiving an inquiry for data from a second peer node;

The first peer node obtaining the requested data from a third peer node

The first peer node transcoding the data before transmitting the data to the second peer node, wherein the transcoding includes converting the data into a format that can be processed by the second peer node and

transmitting the data to the second peer node in a transport specification as requested by the second peer node.

(Applicant's amended claim 14)

Neither Schneider nor Hughes discloses the limitation of the first peer node obtaining the requested data from a third peer node, as added to applicant's independent claims 1, 14 and 29. As a result, applicant's claims 1, 14 and 29 are patentable over Schneider in view of Hughes.

Furthermore, the remaining claims depend from at least one of the independent claims as discussed above, and therefore also include the distinguishing claim limitations. As a result, applicant's remaining dependent claims are also patentable over Schneider in view of Hughes.

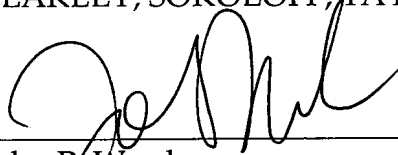
CONCLUSION

Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call John Ward at (408) 720-8300, x237.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

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